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|   |             |                      |                     |                  |
|---|-------------|----------------------|---------------------|------------------|
| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/903,954  | 07/12/2001  | Michael E. Garst     | 17095CIPCON(AP)     | 3028             |
| 7590  | 02/04/2009  |                      | EXAMINER            |                  |
| ALLERGAN, INC.<br>Carlos A. Fisher-T2-7H<br>2525 Dupont Drive<br>Irvine, CA 92612 |             |                      | FAY, ZOHREH A       |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 1612                |                  |
|   |             |                      | MAIL DATE           | DELIVERY MODE    |
|   |             |                      | 02/04/2009          | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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|---------------------------------|-------------|---|---------------------|
| 09903954                        | 7/12/2001   | GARST, MICHAEL E.                                 | 17095CIPCON(AP)     |
| <b>EXAMINER</b>                 |             |   |                     |
| ZOHREH A. FAY                   |             |   |                     |
| <b>ART UNIT</b>                 |             | <b>PAPER</b>                                      |                     |
| 1612                            |             | 20090131  |                     |

DATE MAILED:

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**Commissioner for Patents**

The Reply Brief filed on November 3, 2008 has been noted by the Examiner. The case has been forwarded to the Board of Patent Appeal and Interferences for further consideration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZOHREH A. FAY whose telephone number is (571)272-0573. The examiner can normally be reached on Monday to Friday 9:30-6:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fredrick Krass can be reached on (571) 272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Zohreh A Fay/  
Primary Examiner, Art Unit 1612